

candidates, the Chair will interrupt the Member and admonish the Member if he is not in comportment with the rules.

**MAKING IN ORDER AMENDMENT
IN LIEU OF AMENDMENT 3
PRINTED IN HOUSE REPORT 108-
466 DURING CONSIDERATION OF
H.R. 2844, CONTINUITY IN REP-
RESENTATION ACT OF 2004**

Mr. HASTINGS of Washington. Mr. Speaker I ask unanimous consent that during consideration of H.R. 2844, pursuant to House Resolution 602, the committee amendment in the nature of a substitute recommended by the Committee on the Judiciary be considered as the original bill for the purpose of amendment, and the amendment I have placed at the desk be in order in lieu of the amendment printed in part B of House Report 108-466 and numbered 3.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

An amendment offered in lieu of amendment No. 3 printed in House Report No. 108-466 offered by Mr. SKELTON of Missouri: In section 26(b) of the Revised Statutes of the United States, as proposed to be added by the bill, add at the end the following new paragraph:

“(5) PROTECTING ABILITY OF ABSENT MILITARY AND OVERSEAS VOTERS TO PARTICIPATE IN SPECIAL ELECTIONS.—

“(A) DEADLINE FOR TRANSMITTAL OF ABSENTEE BALLOTS.—In conducting a special election held under this subsection to fill a vacancy in its representation, the State shall ensure to the greatest extent practicable (including through the use of electronic means) that absentee ballots for the election are transmitted to absent uniformed services voters and overseas voters (as such terms are defined in the Uniformed and Overseas Citizens Absentee Voting Act) not later than 15 days after the Speaker of the House of Representatives announces that the vacancy exists.

“(B) PERIOD FOR BALLOT TRANSIT TIME.—Notwithstanding the deadlines referred to in paragraphs (2) and (3), in the case of an individual who is an absent uniformed services voter or an overseas voter (as such terms are defined in the Uniformed and Overseas Citizens Absentee Voting Act), a State shall accept and process any otherwise valid ballot or other election material from the voter so long as the ballot or other material is received by the appropriate State election official not later than 45 days after the State transmits the ballot or other material to the voter.”

Mr. HASTINGS of Washington (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Washington?

There was no objection.

**CONTINUITY IN REPRESENTATION
ACT OF 2004**

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 602 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2844) to require States to hold special elections to fill vacancies in the House of Representatives not later than 21 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 3(c)(4) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed 60 minutes, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

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The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all

time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 602 is a structured rule providing for the consideration of H.R. 2844, the Continuity in Representation Act of 2004. The rule provides 60 minutes of general debate with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary.

The rule waives all points of order against consideration of the bill for failure to comply with clause 3(c)(4) of rule XIII requiring the inclusion of general performance goals and objectives in a committee report.

The unanimous consent request just agreed to provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment which shall be considered as read.

The original text for purpose of the amendment will not include the text of part A of the Committee on Rules report. The unanimous consent agreement also makes in order the bipartisan amendment of the gentleman from Missouri (Mr. SKELTON), the gentleman from Missouri (Mr. BLUNT), and the gentlewoman from New York (Mrs. MALONEY) in lieu of the Skeleton-Maloney amendment printed in part B of the Committee on Rules report.

The rule provides that the amendments made in order shall be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the whole House or in the Committee of the Whole.

Finally, the rule waives all points of order against the amendments printed in the report and provides for one motion to recommit with or without instructions.

Mr. Speaker, the tragic events of September 11, 2001, made clear that, as much as we might wish otherwise, at some point in the future it may be necessary to replace a large number of Members of this body killed in some type of a terrorist attack.

As my colleagues know, the Constitution has always required that the vacancies in the House, no matter how many or what their cause, be filled only by popular election of the people. The timing of such special elections is set on a state-by-state basis. Some States require that congressional vacancies be filled relatively quickly